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Applicant's Name: Michael E. McCadden

Serial No.: 10/603,262 Examiner: Alton Nathaniel Pryor

Filing Date: 06/25/03 Art Unit: 1616 Confirmation No.: 2868

Application Title: GEL COMPOSITION FOR THE TOPICAL TREATMENT OF  
RASHES, DERMATOSES AND LESIONS

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Michael E. McCadden

Art Unit 1616

Serial No. 10/603,262

Filed June 25, 2003

Confirmation No. 2868

For GEL COMPOSITION FOR THE TOPICAL TREATMENT OF  
RASHES, DERMATOSES AND LESIONS

Examiner Alton Nathaniel Pryor

April 26, 2006

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

LETTER TO THE PATENT OFFICE

This letter is in response to the Office action dated January 26, 2006.

Reconsideration is requested of the restriction of the claims of Group I (claims 1-10) from Group II (claims 11-20). According to 35 U.S.C. §121, a restriction is proper only if there are at least two independent and distinct inventions. Furthermore, "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." No such showing has been made here.

Subject to the foregoing traverse, applicant elects to prosecute the claims of Group I, claims 1-10. As a species, applicant elects hydrocortisone valerate as the steroid, and clotrimazole as the anti-fungal. Claims 1-4 and 6-10 read upon the elected species.

Respectfully submitted,

Edward J. Hajlek, Reg. No. 31,525  
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EJH/dep